



By the King.

Instructions and Directions, given by his Maiestie vnder
his Great Seale of England, bearing date the 7th day of February.

ANNO DOM. 1610.

To the Master, and Counsell of the Court of Wardes and Liueries.

IAMES, by the grace of GOD King of England, Scotland, France
and Ireland, Defender of the Faith, &c. To Our right trustie, and right welbeloued Cousin and Counsellor
ROBERT Earle of Salisbury, Our High Treasourer of England, and Master of Our Court of Wardes and Liueries, And
to Our trustie and welbeloued the Counsell of the same Court for the time being, Greeting. WHEREAS it doeth appeare
by common experience. in the course which hath beene held, since the first erection of Our Court of Wardes and Liueries,
That partly by slacknesse of the friends of the Wardes, vpon the decease of the parents or Ancestours (who haue forborne
to offer timely Composition, sometimes with opinion that no Title could be found for vs, and sometimes with purpose to
suppresse the same) and partly by the sute of other men, the Custodie of the bodies and lands of Our Wardes, haue bene com-
mitted to such persons, some for one respect, some for another, as (notwithstanding the care and prouidence of you the Ma-
ster and Counsell of Our Court, to binde them in great Bonds and Couenants for the well educating of the Children, and
preseruatiō of their inheritance) haue bene carelesse of their education, married some in meane places, committed wailes
and spoiles vpon their Lands, and in the end haue exacted greater summes of money, for the marriages of such Wardes, then they ought to haue done,
in reason or equitie: notwithstanding any their disburlements whatsoeuer for passing or procuring the same.
And whereas we haue bene also informed by you the Master of Our sayd Court, that by reason of the great difficulties that haue bene found by
the Court, vpon sight of Offices, and Surueyes onely, to set downe Compositions for wardships and Leases of wards lands, with such equalitie
and moderation betweene vs, and Our Subiects, as were iust and reasonable: and that through want of due information in that behalfe, much of
the profit that you would haue raised for vs, hath bene diuerted to diuers Sutors and Committees, who by obscuring the trueth of the wards estate,
and by misinforming of the Court therein, haue reaped greater benefite, then was intended, if you could by ordinarie meanes, haue come by the
knowledge of their values: so as, both wee haue receiued lesse then otherwise we should haue done, and the ward found little ease in many cases.
Wherefore, for the preventing of these and the like inconueniences, and to the end that Our louing Subiects may stand assured, That wee desire
nothing more, then that their Children and their Lands, that shall fall vnto vs by reason of wardship, might after their decease, bee committed to
their nearest and truest friends, or to such as they by will, or otherwise, shall commit the charge vnto, vpon such valuable considerations, as are iust
and reasonable: And to the intent that the Parents and Ancestours, may depart in greater peace, in hope of this Our gracious fauour: and their
friends may see their Children brought vp in pietie and learning; and may take such care as is fit, for the preseruatiō of their inheritance (if they will
seeke the same in time, and by such meanes as are fit and conuenient) we haue thought good hereby to require you, the Master and Counsell of Our
said Court, and the Master and Counsel of the said Court for the time being, that in disposing and committing of the custodie of the bodies and Lands
of such Our Wardes, whose Ancestours haue deceased since the ninth day of January last, or shall die from and after the date of these presents, and of such
deots and Lunatickes, and their estates, as shall fall vnto vs from hencefoorth, you strictly and carefully obserue these Our directions following.

FIRST, That no Graunt or promise be made of the custodie of the body or Lands of any Warde, nor any composition for the same, vntill the
end of one moneth next after the death of the Ancestour of the Ward, to the end that the nearest and truest friends of the Ancestours, or other
persons nominated by the Ancestour in that behalfe, may in the meane time become Sutors for the same, among whom choice may bee made of
the best and fittest.

Also you shall doe your best endeouour to informe your selfe as particularly as you may, by commission, suruey, or otherwise, of the trueth of the
wards estate, as well of his inheritance as of his goods and chattels, and of the estate of the deceased Ancestour, and of all other due circum-
stances considerable, to the end the compositions may bee such, as may stand both with Our reasonable profite, and with the abilitie of the heires
estate.

That all sales and compositions for wardship of the Bodies, and Leases of Lands, bee made by the Master of the said Court, and by such persons
as are authorized by Statute in that behalfe. Neuerthelesse, the Surueyours of the Liueries, the Attorney of the wards, Receiuer and Audi-
tours, or any foure of them without the Master, may treat with any to bring the sayd wardships and Leases to a price, openly in the Counsell Cham-
ber of the Court of wards, and acquaint the Master therewith, in whose power it shall bee to allow or disallow of the same according to the sayd
Statute.

That no wardship of the Body or Land shall be given or graunted to any person, or at his suite, in way of reward or benefite, but the best price and
value that shall be offered, shall be taken to Our vse: so alwayes as the nearest and truest friends, or the persons nominated by the Ancestour,
(they seeking the same in time conuenient as aforesaid, and making fit offer for it) be preferred, and consideration had of the wards Estate, and of all
due Circumstances considerable in such cases.

That Leases of wards Lands be made without fine, for the best improoued yeerely Rent that shall be offered, consideration being had of all due
Cautions, as aforesaid.

That sellable woods, and fines of Copy-holds of Inheritance, be also reasonably bawled and demised with the Lands, for the best yeerely Rents
as aforesaid: with prouision for the sellable woods, that the Lessees sell them by fit portions.

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That fines for Copy-holds for Lives, be made and raised to Our use, when and as often as the Court shall thinke good, by certaine particular Commissioners to be appointed by the Master and Counsell of our said Court, which Commissioners shall bee charged to make the best of such Copy-holds to be granted, and truly to answer vnto vs, into Our receipt of Our sayd Court, all such summes without fraude or couine, as by them shall haue bene receiued, due consideration being had of their paines and expences.

That you obserue the like rules, orders, cautions, and considerations, as well for Our profite, as otherwise, in committing and disposing of the Lands, sellable woods, fines of Copyholds of inheritance, or for Lives, of Ideots, as by these Presents are prescribed for wards: respectiue, according to the nature of the case, giuing to their friends, that will take charge of them, such competent allowance for their maintenance out of the estates of such Ideots, as the same will beare.

But touching Lunatiques, Let no composition be taken, for the committing of them or their estates: but let such care be had therein, as they may be freely committed to their best and neerest friends, that can receiue no benefite by their death, and the Committees bound to answer, not onely the values found by office, but the very iust value of their Estates, vpon Account, for the benefite of such Lunaticke (if he recover) or of the next heire: due regard being had to the paines and charges of such Committees, in keeping, maintaining, gouerning, and curing of the said distracted persons.

And because our purpose in this course which now is taken, is to raise with as little grieuance as may bee to Our louing Subjects, that reasonable benefite which ought to come vnto vs by mariages of Our wards, and by the Leases of their Lands, (whereof a great part hath bene diuerted by Graunts to Committees, and otherwise) Wee doe hereby declare, That it is not Our meaning to change the course that hath bene formerly held and bled in finding Offices, nor to presse the raising or improouing of any values or Rates in any Inquisitions: neither will we haue the Rents which shall be reserved vpon such Leases, or any such Certificates, Informations, or Instructions, as shall by any meanes be giuen or appeare, of the values of such wards Lands or Estates, to be transcribed or transmitted to any other Court, Office, place or person, or admitted or bled as President, Euidence, or Inducement, to charge Our Subjects in any other payments, now or hereafter answerable vnto vs, Our Heires or Successours, or for any other cause.

And further, forasmuch as we haue a good while since perceiued by you the Master of the sayd Court, that you are not onely ready and desirous, to employ the vttermost of your cares and endeauours, for pursuing and effecting Our Directions, aswell such as should concerne the increase of Our profite, as those that should concerne the safety and preservation of their Estates, that are in this sort to bee protected by vs: but are likewise most desirous in this time of Our vrgent necessities, that it may appeare, aswell to the whole world, as it is settled in your owne conscience, that you are resolu'd to forgoe and abandon, all that benefite that might hereafter arise to your selfe, or to any other, by any such fines or Compositions, notwithstanding any thing that hath bene taken or challenged, by all the Masters of the said Court by continued Custome, use, and prescription, ever since the erection thereof: we haue thought good to require you, and so we doe authorize you hereby, that you giue order that euery person that shall prosecute such Composition, for the custody of a ward, Ideot or Lunaticke, or Lease of their Land, or other Estate, shall before any Graunt of the body, or Lease of the Land be deliuered vnto him vnder Seale of our said Court, take his coppy of all the in open Court, or by Commission (if the cause shall so require) before three Commissioners at the least, whereof one to be a Justice of the Peace, to be certified and returned into the Court, before the deliuerie of such Graunt or Lease in maner and forme following. viz.

I A. B. doe sweare, that neither I, nor any other to my knowledge, haue or hath giuen, or promised, procured, or consented to giue or to be giuen, any gift or reward, directly or indirectly, vnto any Officer or Officers of the Court of Wards and Liueries, or to any other person or persons whatsoever, for procuring any preferment to compound before another, or for mitigation in the Price or payment, in any Composition or Contract made or to bee made, for the Wardship of the body of I. S. his Maiesties Ward, and the Lease of any the said Wards Lands, or for any of them. And that I will not giue, nor any with my consent shall giue, or consent to be giuen, any gift or reward, directly or indirectly, for the causes aforesaid, or any of them, So helpe me God.

Neuerthelesse, we are well pleased and contented, that if any Wardship, Lease of Land, meane Rates before or after full Age, now be, or hereafter shall be concealed from vs, or if no Suit shall be made within one yeere next after Our Tenants death, for such Wardship or Lease: or if vpon Suit made within the yeere, an Office be found against vs, or the finding of the Office vnnecessarily protracted after the yeere expired, without iust cause allowed by the Court: that in such cases the Master may admit any fit person whatsoever, that shall make offer to discover Our Right so concealed, or sought to be concealed, or suppressed (vpon good matter of prooffe shewed for vs, and approued by the Court) to prosecute the finding of an Office, and to passe the said Wardship, Lease or meane Rates, without restraining or binding the said Court, or the parties prosecuting, to the directions aboue mentioned: but that the Master of the said Court, may according to the parties traualle, expences, aduenture and seruice done vnto vs, reward him by grant of such Wardship, Lease or meane Rates, in such sort as others may be encouraged to employ themselves in the like seruice, and all deuices and practises to deceiue and defraud vs of Our due and iust Right, be better preuented, any thing in these Our Instructions or Directions to the contrary notwithstanding. Provided alwayes, and so we doe hereby declare it to be Our will and Pleasure, that where it shall appeare to you, that neither we nor Our Progenitors haue enioyed any benefite, by Wardship, Liuerie, Primer seisin, reliefe, respite of Homage, fines, or meane rates of any Lands, within the space of threescore yeeres past, where such benefite ought to haue come to the Crowne, if such Tenures had bene acknowledged, in such cases we are pleased to giue you power and authoritie to remit and release, all such benefite and profit, as hath or ought to haue accrued vnto vs, or Our Progenitors, by reason of any such Tenures: allowing to such persons as haue prosecuted in Our behalfe, such part thereof, as shall seeme good in your discretion, not exceeding a third part of the whole, as the same shall be found by Inquisition, sauing to vs, Our Heires and Successours, the right and inheritance of Our Tenures, and sauing Our prerogatiue, and the benefite and profit of such Tenures of vs, or Our Progenitors, as doe expressly appeare by matter of Record, and also such as haue bene created, or otherwise come vnto vs, within the same time of threescore yeeres.

And now, as we haue so sufficiently directed you, as we make little doubt but you will be carefull of our profit, in the execution of your place: so neuerthelesse, we let you likewise know hereby, That seeing Our owne iudgement telleth vs, that there may fall into your consideration many circumstances which must guide you, in assessing the fines for mariages of Our wards, and renting of their Lands, some arising out of the broken estate of the deceased, want of prouision for his wife, his great charge of children vnprouided for, infirmitie or tendernesse of the Heire, vncertaintie of the Title, or greatnesse of incumbrance vpon the Land: so as some Heire, that may in respect of his Degree or Blood, or Liuing, in opinion of the world, be iudged to deserue a greater fine or Rent, then some other person more obscure, may yet in regard of the causes aboue mentioned, or some other of like sort, be lesse fit to haue any great charge layed vpon him: we doe therefore notwithstanding any thing contained in these Our Instructions, giue you full libertie, that as these or any the like considerations shall offer themselves vnto you, you may vse that good discretion, and conscience which is fit, in mitigating or abating the fines or Rents vpon the said Grants or Leases, to the reliefe of such necessities: so alwayes as care be taken, that by any such pretences, that profit which should accrue vnto vs, be not deriued to any others, that shall seeke to draw to themselves a priuate benefite out of this Our Gracious care and consideration.

Lastly, Our will and pleasure is, and we doe hereby direct and authorize you, the Master and Counsell of our said Court, and the Master and Counsell of the same for the time being, That with the aduise of Our Judges Assistants of Our sayd Court, you diligently examine, search out and reforme all fraudulent deuices and practizes, deuised, or to be deuised and put in vse, to deceiue or defraude vs of Our Wardships, or Leases of Our wards Lands, or of any due and iust benefite belonging vnto vs, by reason of Our Tenures. In witness whereof, wee haue caused these Our Letters to be made Patents.

Witness Our selfe at Westmister, the 7 day of february, in the eight yeere of Our Reigne of England, France, and Ireland, and of Scotland, the foure and fourtieth.

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